

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PARALLEL IRON, LLC,

Plaintiff,

v.

MORGAN STANLEY,

Defendant.

)

) C.A. No. 12-878-RGA

)

) **JURY TRIAL DEMANDED**

)

) **PUBLIC VERSION**

)

)

)

**DECLARATION OF GARY BHATTACHARJEE IN SUPPORT OF
MORGAN STANLEY'S MOTION TO STAY**

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Dated: June 17, 2013

Public Version Dated: June 27, 2013

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PARALLEL IRON, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 12-878 (RGA)
)	
MORGAN STANLEY,)	
)	
Defendant.)	

**DECLARATION OF GARY BHATTACHARJEE IN SUPPORT OF
MORGAN STANLEY'S MOTION TO STAY**

I, Gary Bhattacharjee, declare as follows:

1. I am currently an Executive Director in the Enterprise Information Solutions team of Morgan Stanley Smith Barney, doing business at 1 New York Plaza, 11th Floor, New York, NY 10004.
2. I am in charge of the Enterprise Information Solutions team and oversee its operations.
3. All of Morgan Stanley's products and/or services implementing a Hadoop Distributed File System (HDFS) that have been placed into commercial use by Morgan Stanley were supplied by Cloudera, Inc. and only by Cloudera, Inc.
4. The Morgan Stanley Hadoop implementation in relation to which I was quoted in the article identified by Parallel Iron LLC in its Disclosures Pursuant to Section 4(a) of the Delaware Default Standard for Discovery of Electronically Stored Information (i.e., http://www.datanami.com/datanami/2012-05-30/morgan_stanley_turns_to_hadoop.html?goback=.gde_4166980_member_119942737) is Morgan Stanley's Hadoop/HDFS implementation supplied by Cloudera, Inc.

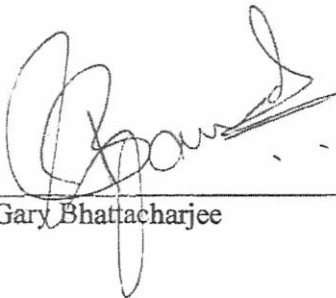
5. From May of 2012 to September of 2012, Morgan Stanley ran an experimental test of a HDFS setup, comprised of a four-node cluster, which was downloaded directly from <http://hadoop.apache.org/> (release version 1.0.2). This test setup was exploratory in nature and never used for any commercial purposes whatsoever. Prior to that time, Morgan Stanley had downloaded source code for Apache Hadoop (release version 0.23.1) from <http://hadoop.apache.org/>, which included HDFS, and set up a four-node cluster, but never made any use of that setup. These setups were no longer in use by the end of September of 2012.

6. There have not been any other uses of HDFS by Morgan Stanley beyond those described in Paragraphs 3, 4 and 5 above.

7. All statements made herein of my own knowledge are true, and all statements made herein on information and belief are believed to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 14, 2013.



Gary Bhattacharjee

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, Richard L. Horwitz, hereby certify that on June 27, 2013, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on June 27, 2013, the attached document was Electronically Mailed to the following person(s):

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